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UNITED STATES  
 SECURITIES AND EXCHANGE COMMISSION  
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 NEW YORK, NEW YORK 10281-1022

March 20, 2006

Filed Electronically

Honorable Laura Taylor Swain  
 United States District Court  
 Southern District of New York  
 40 Centre Street, Room 1205  
 New York, New York 10007-1581

**MEMO ENDORSED**

IT IS ORDERED that counsel to whom this Memo Endorsement is sent is responsible for faxing or otherwise delivering promptly a copy to all counsel and unrepresented parties and filing a certificate of such service within 5 days from the date hereof. Do not fax such certification to Chambers.

Re: SEC v. Amerindo Investment Advisors Inc., et al.,  
05-CV-5231 (LTS) (S.D.N.Y.)

Dear Judge Swain:

I represent the plaintiff Securities and Exchange Commission in this action. At the conference held on December 9, 2005, Your Honor directed the parties to submit a proposed stipulation to discharge Robert N. Knuts as the monitor for Amerindo Investment Advisors Inc. ("Amerindo US").

The Commission's counsel drafted a proposed order, and circulated it to the parties for their review and comment. In addition to providing for the discharge of Mr. Knuts, the proposed order contains essentially two provisions. First, the Commission's draft order includes a provision requiring Amerindo US or any person acting on its behalf to provide notice to the Commission prior to acting as an investment adviser or performing certain other acts. Second, the Commission's draft order includes a provision requiring Amerindo US or any person acting on its behalf to advise the Commission if they are contacted by any person or entity who is, or believes the person or entity is, a client of Amerindo US. The Commission has spoken with a number of investors who indicated that "Amerindo" was acting as their investment adviser, and they have questions about the status of their accounts. As the Commission has alleged in its Amended Complaint, defendants Alberto W. Vilar and Gary Alan Tanaka purposefully created confusion among the advisory clients concerning which Amerindo entity was serving as the clients' investment adviser (e.g., Amerindo US, Amerindo Advisors UK Limited, Amerindo Investment Advisors, Inc. (Panama)) (see Amended Complaint ¶¶ 23-26). Consequently, if a client contacts Amerindo US about a client account, the Commission staff will receive notice and can take action to attempt to answer any questions about the status of that client's account, even if the current individuals acting on Amerindo US's behalf do not have a record of the client being an Amerindo US client. Additionally, as far as the Commission staff is aware, there are no employees of Amerindo Panama or Amerindo UK who are currently available to respond to client inquiries (other than Vilar and Tanaka, both of whom are currently awaiting trial in the

Honorable Laura Taylor Swain

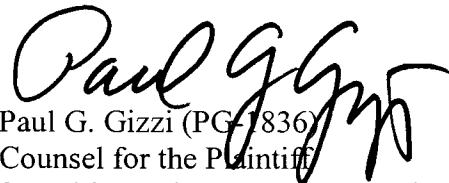
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criminal matter). Therefore, this notice provision simply serves to protect these clients who may not be able otherwise to obtain answers about their accounts.

Counsel for defendants Amerindo US, Vilar, and Tanaka reviewed the Commission's proposed order, and informed Commission counsel that they were prepared to agree to the order except for the provision requiring them to notify us if they are contacted by any Amerindo US client. Counsel for defendants Vilar and Tanaka raised the concern that this provision would interfere with their ability to defend the criminal action presently pending against them, United States v. Vilar, Action No. 05 Cr. 621 (KMK) (S.D.N.Y.). Consequently, the Commission's counsel has revised the language of Paragraph IV of the proposed order to address these concerns. The Commission continues to believe that it is important for investors who are or believed they were clients of Amerindo US to be able to obtain answers to their questions about the status of their client accounts. Accordingly, the Commission submits with this letter [Plaintiff's Proposed] Order Discharging Robert N. Knuts, Esq. As Monitor For Amerindo Investment Advisors Inc.

Respectfully submitted,



Paul G. Gizzi (PG-1836)  
Counsel for the Plaintiff  
Securities and Exchange Commission

Enclosure

Cc (w/ encl.)


Honorable Laura Taylor Swain  
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Southern District of New York  
40 Centre Street, Room 1205  
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*Any objections to entry of the  
revised Proposed order that was  
submitted by the SEC under cover  
of this 3/20/2006 letter shall be  
filed and served by  
April 5, 2006.*

SO ORDERED.



3/27/2006  
LAURA TAYLOR SWAIN  
UNITED STATES DISTRICT JUDGE